

Amendment

2675

TOWNSEND and TOWNSEND and CREW LLP
 Two Embarcadero Center, 8th Floor
 San Francisco, California 94111-3834
 (415) 576-0200

Attorney Docket No. 19880-000720
 Client Ref No. 245-CIP3

In re application of: Donald F. Gordon et al.

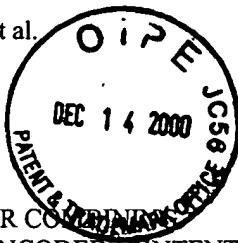
Application No.: 09/458,796

Filed: December 9, 1999

Group Art Unit: 2775

For: APPARATUS AND METHOD FOR COMMUNICATING
 REALTIME AND NON-REALTIME ENCODED CONTENT

THE ASSISTANT COMMISSIONER FOR PATENTS
 Washington, D.C. 20231



Date: December 8, 2000

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
 Washington, D.C. 20231

Signed: *Anne M. Compton*

Technology Center 2600

DEC 19 2000

RECEIVED

Sir:

Transmitted herewith is an preliminary amendment in the above-identified application.

- [] Enclosed is a petition to extend time to respond.
- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [X] Postcard

If any extension of time is needed, then this response should be considered a petition therefor.
 The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 20	MINUS	** 20	= 0
INDEP. * 3 MINUS *** 3 = 0				
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE	RATE	ADDIT. FEE
x \$9.00 =	\$0.00	x \$18.00 =	
x \$40.00 =	\$0.00	x \$80.00 =	
+ \$135.00 =		+ \$270.00 =	
TOTAL ADDIT. FEE	\$0.00	TOTAL	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

[X] No fee is due.

Please charge Deposit Account No. 20-1430 as follows:

- [] Claims fee \$ _____
- [X] Any additional fees associated with this paper or during the pendency of this application.

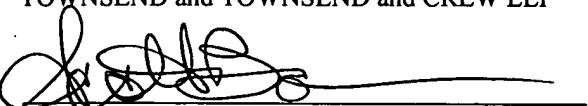
NO extra copies of this sheet are enclosed.

Customer No. 20350

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PA 3115079 v1

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 P.G. Scott Born, Reg. No. 40,523
 Attorneys for Applicant

M

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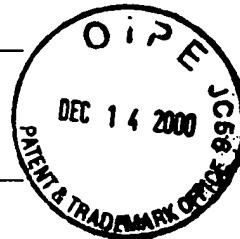
Assistant Commissioner for Patents
Washington, D.C. 20231

On December 8, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Heather Clappett

PATENT
Attorney Docket No.: 19880-000720
Client Reference No.: 245-CIP3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DONALD GORDON et al.

Application No.: 09/458,796

Filed: December 9, 1999

For: APPARATUS AND METHOD
FOR COMBINING REALTIME
AND NON-REALTIME
ENCODED CONTENT

Examiner: Not yet assigned

Art Unit: Unknown

PRELIMINARY AMENDMENT

RECEIVED
DEC 19 2000
Technology Center 2600

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows

IN THE CLAIMS:

Please amend claims 1-6 as shown below.

Please add new claims 7-20 as follows.

1 1. (Amended) An apparatus for encoding realtime and non-realtime contents [a
2 transport stream], the apparatus comprising:
3 a non-realtime content source [for providing] configured to provide non-
4 realtime content;

H/GM/JB